

1 add them.

2 Q I'll show you what you have marked as RS
3 Exhibit 8A. Can you tell me how many cancelled
4 checks are on that document for Ms. Thomas?

5 A It looks like four.

6 Q What are the dates and the amounts of
7 those checks?

8 A One is dated September 15th, 2016 in the
9 amount of \$231. One is dated September 29th, 2016
10 in the amount of \$231. One is dated October 7th,
11 2016 in the amount of \$253. One is dated
12 September 23rd, 2016 in the amount of \$231.

13 Q Would you agree with me that the sum of
14 those four checks is \$946?

15 A I mean I didn't add them up, but that
16 sounds about right.

17 Q I'm going to show you what you have
18 marked as RS Exhibit 9A. How many checks for Ms.
19 Thomas are on Exhibit RS 9A?

20 A It looks like four.

21 Q What are the dates and amounts of those
22 four checks?

23 A One is dated October 14th, 2016 in the
24 amount of \$440. One is dated October 20th, 2016

1 in the amount of \$400. One is dated October 27th,
2 2016 in the amount of \$440. And it looks like one
3 is dated November 3rd, 2016 in the amount of \$320.

4 Q I calculate the total of those four
5 checks to be \$1600. Does that sound right to you?

6 A It sounds about right.

7 Q I'm showing you what you have marked as
8 RS Exhibit 10A. How many checks for Ms. Thomas
9 are on Exhibit RS-10A?

10 A Five.

11 Q What are the dates and amounts of those
12 checks?

13 A One is dated November 10th, 2016 in the
14 amount of \$440. One is dated November 18th, 2016
15 in the amount of \$360. One is dated November
16 25th, 2016 in the amount of \$410. One is dated
17 December 2nd, 2016 in the amount of \$400. One is
18 dated December 9th, 2016 in the amount of \$400.

19 Q Is that all five?

20 A Yep.

21 Q I calculate the sum of those five checks
22 to be \$2010. Does that sound correct to you?

23 A Without adding it up, it sounds about
24 right.

1 Q I'm showing you what you have marked as
2 RS Exhibit 11A. How many checks for Ms. Thomas
3 are on Exhibit RS-11A?

4 A It likes like four.

5 Q What are the dates and amounts of those
6 checks?

7 A The first one is January 4th, 2017 in the
8 amount of \$530. There is one dated December 16th,
9 2016 in the amount of \$410. One is dated
10 December, looks like 21st, 2016 in the amount of
11 \$640. One is dated December 28th, 2016 in the
12 amount of \$5500.

13 Q I calculate the sum of those four checks
14 to be \$2140. Does that sound correct to you?

15 A That sound about right, yeah.

16 Q I'm going to show you what you have
17 marked as RS Exhibit 12A. How many checks for Ms.
18 Thomas are on RS Exhibit 12A?

19 A Four.

20 Q What are the dates and amounts of those
21 checks?

22 A The first check is January 13th, 2017 in
23 the amount of \$560. Another check dated January
24 31st, 2017 in the amount of \$600. Another check

1 dated February 3rd, 2017 in the amount of \$560.

2 Another check dated January 20th, 2017 in the
3 amount of \$860.

4 Q I calculate the sum of those four checks
5 to be \$2580. Does that sound correct to you?

6 A It sounds about right.

7 Q When I add up the totals for those six
8 exhibits for checks to Ms. Thomas, I calculate
9 \$12,746.50. Does that sound correct to you?

10 A If that's what you added up, yes.

11 Q You can check my arithmetic.

12 A Okay. What did you say it was?

13 Q \$12,746.50. I understand you also paid
14 Ms. Thomas \$1120 in cash which was evidenced in RS
15 Exhibit 26. Is that correct?

16 A That's correct.

17 Q So adding that to the \$12,000 figure, I
18 get \$13,866.50.

19 A Okay.

20 Q RS Exhibit 5 you say Ms. Thomas' salary
21 was \$19,137.50 and RS-4 you say her salary was
22 \$16,888. Where is the rest of the money?

23 A These checks that you have here are the
24 only checks that I have. There are bank

1 statements that I don't have. There are bank
2 statements, bank statement checks that I don't
3 have.

4 The accurate way of being able to
5 determine what, how much money was paid by Ms.
6 Thomas would be better reflected in a document
7 that I sent you which would be the checking book
8 transaction account that I have as well as the
9 bank statements that I have. That would reflect
10 more accurately what monies were paid to Ms.
11 Thomas.

12 These are just, these are just checks.
13 If I can go back real quick and take a look at
14 them. There were monies paid to Ms. Thomas prior
15 to August 11th, 2016 that are not reflected in
16 these checks. And if you want me to, I can tell
17 you exactly how much money that was.

18 Q Prior to when?

19 A The first checks that you asked me to
20 look at, I believe, begin with 7A. Is that
21 correct?

22 Q 6A. There was one check for Ms. Thomas
23 on 6A in the amount of \$1941.50.

24 A I'm sorry.

1 Q Just so the record is clear --

2 A I'm sorry. I see that.

3 So there are checks that are reflected
4 for July, it looks like August, September,
5 October, November, December, January and February.
6 There are no checks reflected from February into
7 March or March into April up until the time that
8 my Power of Attorney was revoked. I didn't have
9 -- the exhibits that you, that we introduced which
10 I believe was ODC 3A through ODC 3J did not
11 include any checks, copies of any checks. But
12 these are checks that I gave to you as part of
13 Discovery that I had, that I had. But those other
14 months' checks are not there.

15 Q So there are more checks that you wrote
16 to Ms. Thomas that have been negotiated that are
17 not reflected on 6A through 12A? Is that your
18 testimony?

19 A Correct.

20 Q And your testimony --

21 A And I don't know, I don't know whether or
22 not your -- whether you reflected the amount of
23 money that was paid in cash. Did you add that?

24 Q I'm aware of one cash transaction, the

1 \$1120 to Ms. Thomas. And I included that in the
2 \$13,866.

3 A Correct. So there would be checks that
4 are not, that are not, that are not included for
5 February, from February 11th to the end of
6 February, all of March and all of April up until
7 April 27th there are no checks there. And it was
8 only -- every payment that she got was via check
9 except for there were two payments that were made
10 to her, cash payments that were made to her
11 totally that the cash amount that was given to
12 her. All the rest were checks.

13 Q How did you come up with that figure,
14 then, if you didn't have those checks?

15 A Because I have, I have the receipts for
16 them.

17 Q What receipts?

18 A The bank statements. I kept a bank log,
19 every check that was written.

20 Q You mean a transaction register?

21 A Transaction register, correct.

22 Q I believe you proposed that as Exhibit
23 RS-40, correct?

24 A Correct.

1 Q Do you have that in front of you, sir?

2 A RS-39 and RS-40.

3 Q I want to talk about RS-40.

4 So just to be clear. You are confident
5 about the accuracy of RS-40?

6 A Yes.

7 Q I'm showing you what's been marked as ODC
8 Exhibit 3I. On RS-40, do you see a Check Number
9 4372 to Ms. Thomas in the amount of \$560?

10 A Yes.

11 Q If you could turn to Page 2 of ODC-3I.

12 A Okay.

13 Q A little more than halfway down the page
14 March 21st, do you see a transaction that says
15 NSF, return item fee for transaction received on
16 March 20th, \$560, Check Number 4372?

17 A Yes.

18 Q So that check was not successfully
19 negotiated, correct?

20 A It was not successfully negotiated at the
21 time it was presented on March 21st. I don't know
22 whether or not it was subsequently resubmitted.

23 Q You didn't go back to check the accuracy
24 of RS-40 to see if it was resubmitted and

1 negotiated successfully?

2 A I didn't have this, this bank statement.

3 Q So you were unaware that that check had
4 been denied for insufficient funds?

5 A To my knowledge, yeah, I wouldn't have
6 known unless Ms. Thomas told me about it, that she
7 had gone there and it wasn't sufficient funds and
8 then I told her to redeposit it. I don't know.
9 That may have happened. But I didn't have this
10 bank statement from March 11th, 2017 through April
11 12th.

12 But I can tell you that whenever a check
13 was written and there weren't sufficient funds, I
14 noted on my log. And if you go down further on
15 there to Check 4380 and 4382, those checks were
16 voided. And I indicated in it that they were paid
17 in cash. So if the check had not been cashed, I
18 would have made a notation to it on this document.

19 Q Okay. So RS-40, do you have another
20 Check 4374 to Ms. Thomas in the amount of \$560?

21 A Yes.

22 Q Do you see an entry on ODC-I directly
23 below the one I just referenced that was also
24 returned for insufficient funds in the amount of

1 \$480?

2 A Correct. Yes.

3 Q And on Page 3 of ODC 3I, do you see that
4 that check was also returned for insufficient
5 funds on April 11th?

6 A Yes.

7 Q So do you think it's possible that the
8 \$19,137.50 figure in RS-5 is not accurate?

9 A No. I disagree with that. Ms.
10 Fauntleroy testified I paid all of the caretakers
11 including Ms. Thomas every week. They never
12 missed a week without being paid.

13 So my answer to you is that if this check
14 was deposited and was insufficient, that
15 eventually that check was cashed because every
16 week her caretakers, including Ms. Thomas, were
17 paid. There was never a week that they weren't
18 paid.

19 Q Can you show me on ODC-3I where any of
20 those checks we just referenced as being returned
21 were negotiated successfully?

22 A No, that wouldn't be reflected on here.

23 Q Why not?

24 A I don't think it would be reflected on

1 here.

2 Q Wouldn't they have to account for it? If
3 it was successfully negotiated, then the funds
4 came out of the account. Wouldn't it be reflected
5 on the statement?

6 A It may be. I'm looking at it right now.
7 It may be. But I can guarantee you that those
8 checks that you just named amounted to over a
9 couple of thousand. And if Ms. Thomas was working
10 and didn't get paid over a couple of thousand
11 dollars, Ms. Fauntleroy would have known about it
12 and Ms. Fauntleroy wouldn't have testified here
13 today that all of her caretakers would have been
14 paid each week what they were owed.

15 Q You testified that you calculated the
16 figures on RS-5 by using the cancelled checks and
17 your transaction register. And if the transaction
18 register includes checks that were not
19 successfully negotiated, wouldn't that affect the
20 accuracy of the numbers on RS-5?

21 A No.

22 Q Why not?

23 A What I did, the way I calculated again,
24 when I was calculating the numbers, I didn't have

1 this bank statement. So I was going by my check
2 log to the checks that I wrote, who I wrote them
3 to and the amounts that were paid.

4 Q That was my question. You are using your
5 check log which includes checks that were not
6 successfully negotiated. So therefore, the
7 figures on RS-5 would be higher than the amount of
8 money Ms. Thomas actually received, correct?

9 A No. The amount of money that's on RS-5
10 are monies that my records show in combination
11 with the bank statements were paid to her
12 caretakers including Ms. Thomas. That's where I
13 came up with those numbers.

14 So you went through a number of checks
15 that I had -- a number of documents that I had
16 checks that were written from her. And you are
17 saying that doesn't come up to \$19,000.

18 My response to you is that I didn't have
19 checks for all of the accounts, all of the bank
20 statements. So I had to rely on my bank, my bank
21 transaction log which I did to come up with that.
22 And I have written out -- if you want me to, I can
23 go through with you every --

24 Q That's not necessary, sir.

1 A I'm willing to do it because I have every

2 --

3 Q You can do it on redirect.

4 MS. McBRIDE: There is no question.

5 MR. KRAWITZ: There is no question
6 pending.

7 MR. WHITE: There is not.

8 MR. CONNER: But my answer is, I think he
9 said I have no documentation for this. My
10 answer is I do have it.

11 BY MR. WHITE:

12 Q Mr. Conner, I'm going to move on. But I
13 just want to be clear. Did you inflate the
14 numbers in RS-4 or RS-5 in order to conceal the
15 fact that you spent \$100,000 of Ms. Fauntleroy's
16 funds at various casinos?

17 A No.

18 Q Mr. Conner, how well did you know Ms.
19 Fauntleroy prior to July 29th, 2016?

20 A I had gotten to know her pretty well.

21 Q Does it seem unusual to you that she
22 would permit you to use her card for her Wells
23 Fargo account at various casino?

24 A I'm sorry. What was the question again?

1 Q Does it seem unusual to you that she
2 would permit you to use the card for her Wells
3 Fargo account at various casinos?

4 A No, because that is what she did.

5 Q Have you done this with other people? Do
6 other people let you use the card for their
7 accounts at various casinos?

8 A I have never -- not that I can think of.
9 I have never worked for someone for five months or
10 say for over a year and not demanded to be paid.
11 Very few instances have come up in the 20 years
12 that I practiced that I wasn't getting retainer
13 money up front or make sure that I was getting
14 paid. Mr. Lorenzo Fauntleroy was a client of
15 mine.

16 Q Sir, the question was whether other
17 people have permitted --

18 MR. CONNER: Can I answer the question?

19 MR. KRAWITZ: Answer his question. You
20 weren't answering his question. You can
21 answer his question.

22 MR. CONNER: His question to me was, had
23 I ever done that before?

24 MR. KRAWITZ: Correct.

1 THE WITNESS: My answer to him is that I
2 was explaining to you when I did do it.

3 BY MR. WHITE:

4 Q So yes, you have done that before? So
5 yes, you have done that before?

6 A I have done that before. And under these
7 particular circumstances, I did it because I was
8 dealing with an 85-year-old woman who wanted to
9 remain in her house. And I have been blessed that
10 I could afford to work for her for that period of
11 time and not demand the monies that I was doing.

12 So me and Ms. Fauntleroy had a different
13 kind of relationship and she appreciated it -- or
14 at least she indicated to me she did.

15 Q So it's your testimony that you entered
16 into an agreement with Ms. Fauntleroy to use the
17 card for her Wells Fargo account at various
18 casinos so that she could remain in her house?

19 A No. What I'm saying to you is my
20 relationship with her, I'm explaining to you I did
21 things for her that I would not normally do. And
22 we had a very, very good relationship. So yeah,
23 based on the total of our relationship, we did and
24 I did ask her and she did agree to allow me to do

1 that because we did have a very personal
2 relationship, a very personal relationship.

3 Q So I was unclear in your answer to my
4 initial question. Other people have let you use
5 the cards for their accounts at various casinos?

6 A I don't remember any particular --
7 whether or not anybody let me use their card.

8 Q You don't remember if someone let you use
9 her card for a casino?

10 A No, I don't remember. I don't remember
11 whether someone has done that or not. I'm not
12 going to say that I have never done that.

13 But I what I will say to you is that I
14 have developed personal relationships with my
15 client. And under those personal relationships, I
16 have done different things for different people
17 under personal relationships. I have.

18 Q And this doesn't seem like an unusual
19 arrangement to you?

20 A Absolutely not. It's not an unusual
21 relationship because on August 1st -- on July
22 29th, 2016, Ms. Fauntleroy didn't have any money
23 at all to pay her bills, none at all. And as of
24 right now, because of me and because of the work

1 that I did with Ms. Fauntleroy, she was able to
2 stay in her house. She was able to stay in her
3 house, and I believe she is still in her house
4 right now.

5 And again, based on the testimony and the
6 information that I have given, Ms. Fauntleroy was
7 better off financially. She got \$8000 more than
8 what she was entitled to because of my concern for
9 her. I paid that money to her when I didn't have
10 any documentation whatsoever.

11 Q I'm confused again.

12 A Okay.

13 Q You said a couple times that she didn't
14 have any money in August of 2016. Why then would
15 she say, Take my debit card and go to the casinos?
16 Does that seem unusual to you? I have no money,
17 Mr. Conner, here is my debit card?

18 A She did that because I had put \$10,000
19 into her account. And she trusted me to make sure
20 that any money that I used from there, that I
21 would give back to her. That's why for all of
22 those months from July all the way through, Ms.
23 Fauntleroy never complained to me or complained to
24 anybody else about that because she trusted me to

1 make sure that any monies that I would have used,
2 that I would have given back to her.

3 And again, throughout the course of those
4 months, I constantly talked to her about that. So
5 there was never any concern from her that she
6 wasn't going to get her money.

7 Q Mr. Conner, tell me about the
8 conversation in which Ms. Fauntleroy gave you
9 permission to use her debit card at various
10 casinos.

11 A The best I can recall is that I was in
12 Atlantic City and I was down there for -- this is
13 the best of my recollection, that I was down there
14 on vacation.

15 Q When? When was this?

16 A I don't know. It would have been
17 sometime -- this is the best of my recollection.
18 And that I had asked her if I could use her card
19 while I was down there in Atlantic City, and she
20 told me that I could use it.

21 I didn't use it while I was down there.
22 I didn't use it when I was down there. When I got
23 back, I told her I hadn't used it. But I asked
24 her, Is it okay if I use your card when I'm at the

1 casino?

2 Q This was on the phone?

3 A It was initially on the phone, but I
4 didn't use her -- I didn't use her card.

5 Q There was more than one conversation?

6 A Yeah. It was several conversations about
7 this.

8 Q Several conversations?

9 A Yes. When I came back to her, we talked
10 about it again. I explained to her, I didn't use
11 your card when I was down there.

12 Q So if you had several conversations with
13 her when she said you could use her debit card at
14 the casinos, why would she testify this morning
15 that she never told you that?

16 A I don't know.

17 Q You have no explanation for that?

18 A No.

19 Q Why would she file a complaint with my
20 office?

21 A I have my reasons. Do you want to know
22 why I think she would have said that?

23 Q Yes. That's why I asked.

24 A In December of 2016, I went to all of Ms.

1 Fauntleroy's caretakers including Shelio Thomas.
2 And I told them that they needed to execute a W-9
3 because I needed to report to the IRS monies I had
4 paid them for caretaking services.

5 I had told them when I first started
6 helping Ms. Fauntleroy pay back in August of 2016,
7 that I was going to be issuing them this W-9. And
8 one of the reasons I told them that was because I
9 wanted to make sure that Ms. Fauntleroy had done
10 what she was required to do as far as monies that
11 were paid. And that I wasn't withholding any
12 taxes out of that money.

13 So when I went in December, and issued
14 W-9s to Shelio Thomas who was her head caretaker,
15 the other caretakers seemed to be okay with that,
16 but Ms. Thomas wasn't. And about a month later
17 when she went to file her tax returns, she found
18 out that she had to pay taxes on that money. And
19 she was very, very, very, very upset by that.
20 Because when Homer Hills was handling her account,
21 they were getting paid -- they never had to pay
22 any taxes at all. And from that point on, my
23 relationship with Ms. Thomas went completely down
24 the hill.

1 Now, when I found out on April 28th that
2 I was no longer on Ms. Fauntleroy's account, it
3 had been revoked, I tried to get in touch with Ms.
4 Fauntleroy, and I couldn't. I became very, very
5 concerned about what was going on to the extent
6 that I called the police and I told them that I
7 was concerned about her, that I had not been able
8 to be in touch with her and I could not get in
9 touch with her.

10 And the police came to the house. And
11 they were able to knock on the door and confirm
12 Ms. Fauntleroy was okay. And I became very, very
13 upset.

14 I subsequently found out that Mr. -- the
15 attorney that testified had prepared a Revocation
16 of Attorney. So I called him and I left him
17 messages because I still didn't know what was
18 going on. I was concerned at that point in time
19 that I needed to find out what was going on. This
20 attorney wasn't calling me back. He eventually
21 called me back and told me that he only handled
22 debt one incidents.

23 At that time, Mr. White, I was conflicted
24 out because I knew if I raised an issue about the

1 care and what was going on with Ms. Fauntleroy,
2 that she wouldn't be able to stay in that house.
3 She wouldn't have had any caretakers at the time.

4 But my relationship went completely
5 downhill with Ms. Thomas. And if you are asking
6 me about why I think she would be raising this
7 right now is because I believe she is conflicted
8 out, too. If Shelio Thomas is telling her to do
9 one thing, she knows she needs these people to
10 take care of her.

11 And that's the reason why I didn't go and
12 file a complaint on my own, because I know she
13 needs to stay in her house and they are there to
14 take care of her. She has no other family.

15 Q Let me cut to the chase. You believe Ms.
16 Fauntleroy is lying because you made Ms. Thomas
17 pay federal taxes, federal income taxes? Is that
18 what you are saying?

19 A I think it almost amounts to that. I
20 believe Ms. Thomas was very upset with me because
21 we never had any problems whatsoever. There were
22 never any complaints about anything I had done up
23 until I got into that argument with Ms. Thomas.
24 So that's the only thing I can say that I know.

1 Nothing else ever happened. There was never any
2 harsh words. There was never any demands for any
3 money. There was never any accusations by Ms.
4 Fauntleroy that I had ever mishandled any of her
5 funds, never. Even after the complaints were
6 filed. Up to this day, I have not had any
7 conversation with Ms. Fauntleroy since on or about
8 April 24th of 2017.

9 Q Sir, do you still have ODC-7 in front of
10 you?

11 A Which one is that?

12 Q Your Statement of Position in response to
13 ODC-6.

14 A Yes, I do.

15 Q Do you mention in that document that you
16 believe Ms. Fauntleroy is lying because you made
17 Ms. Thomas pay federal income tax?

18 A If there is a question -- I don't believe
19 there was a question that asked me whether or not
20 I believe she was lying.

21 Q You didn't mention that because it wasn't
22 specifically asked?

23 A It wasn't specifically asked. So no, I
24 didn't, I didn't put that in there. No.

1 Q Do you have your answer to the Petition
2 for Discipline in front of you still?

3 A I do.

4 Q Do you mention in that document you
5 believe Ms. Fauntleroy is lying because you forced
6 Ms. Thomas to pay federal income taxes?

7 A No.

8 Q Why not?

9 A Because I wasn't asked that. I mean I
10 don't understand.

11 Q So you don't think it would have been
12 relevant in your Statement of Position to let my
13 office know that Ms. Fauntleroy had reason to lie
14 about this?

15 A Well, what question are you asking me did
16 Ms. Fauntleroy lie about? The fact that I stole
17 money from her?

18 Q It's your testimony that Ms. Fauntleroy
19 lied this morning because you made Ms. Thomas pay
20 income taxes?

21 A No. No. You asked me why I think she
22 may have misrepresented. I said because I had a
23 falling out with Ms. Thomas and she relies on Ms.
24 Thomas to take care of her so she can stay in her

1 home.

2 Q You didn't mention any of that in ODC-7?

3 A No.

4 Q I'm going to move on.

5 You said you spoke, on several occasions
6 Ms. Fauntleroy gave you permission to use her card
7 at various casinos, correct?

8 A Correct.

9 Q Did you ever ask Ms. Fauntleroy to sign a
10 document that authorized you to use a card at the
11 casinos?

12 A No, I did not.

13 Q Why not?

14 A Because I didn't think it was necessary.

15 Q Why not?

16 A Because she told me that I could, and I
17 did. And she knew about it. We talked about it.
18 We talked about it as it was reflected in bank
19 statements that she had and it was never a problem
20 with it. She never accused me of stealing any
21 money or taking any money from her without her
22 consent. We talked about it. So no, there was
23 no, there was no need for me to do that.

24 Q You couldn't envision a situation in the

1 future someone might question a fact you were
2 using her debit card in the casino?

3 A Not at that time.

4 Q You didn't think it was necessary to put
5 this in writing?

6 A No, I did not. I did not.

7 Q Did you memorialize your conversations
8 with her in any way?

9 A I did not.

10 Q You didn't send her a letter about this?

11 A No.

12 Q You didn't write a memo to the file about
13 it?

14 A Again, I didn't do that. Looking back
15 hindsight, I wish I would have done that. But
16 again, based on the relationship that I had with
17 Ms. Fauntleroy, I didn't think that it was
18 necessary for me to do that. It didn't even cross
19 my mind to do that.

20 I took money out of my pocket to give her
21 when she needed to pay her caretakers, money that
22 I should have gotten. We had a different kind of
23 relationship there. I understand now I'm here
24 because I'm an attorney and these things can

1 happen. But at the time, no, I didn't.

2 I wouldn't normally either pull money out
3 of my pocket and pay for anybody, a client's
4 bills. I wouldn't do that. I wouldn't work for
5 someone for over a year and not get paid for my
6 services. But this was a unique situation. We
7 had a personal relationship. So no, I didn't do
8 it. In hindsight, I should have.

9 Q In any of these conversations, did Ms.
10 Fauntleroy place any limitations on your use of
11 her card?

12 A No, she did not.

13 Q Did she say, You can spend \$1000 a month?

14 A No.

15 Q Did she say, I want a cut of whatever you
16 win?

17 A No, she did not.

18 Q Was there ever, when you had these
19 conversations with Ms. Fauntleroy, was there ever
20 anyone else in the room who heard them?

21 A No. I made sure that there was no one
22 else there.

23 Q It was always just you and her?

24 A Ms. Fauntleroy and I talked. We talked

1 about business. We talked about her accounts. I
2 made sure that no one else heard that. And the
3 reason I did that is because the same people that
4 were involved in access to her accounts when she
5 ran into problems during that period of March of
6 2016 through the end of July of 2016 were still
7 working for her. So no, I didn't discuss any of
8 her business with them.

9 Q Where did these conversations happen?

10 A It happened at her house. Ms. Fauntleroy
11 has never been to my office. Every week almost I
12 went to her office -- her house. Excuse me.

13 Q How many of these conversations did you
14 have with her where she said it was okay for you
15 to use her debit card at the casino?

16 A I don't know exactly how many. We talked
17 frequently about it.

18 Q How about approximately? Can you
19 ballpark it for me?

20 A No.

21 Q You don't have any idea?

22 A I couldn't ballpark. But because of her
23 experience that Ms. Fauntleroy had prior, we
24 talked about her finances. We talked about them.

1 We looked at her bank statements that came to her
2 house. We went over those things. And my use of
3 her debit card from her account came up all the
4 time. She never said a word about it. Nothing.

5 Q Sir, I'm going to direct your attention
6 to ODC Exhibit 7, specifically Paragraph 226.

7 A ODC-7?

8 Q It's in your right hand.

9 A Paragraph what?

10 Q 226.

11 A Okay.

12 Q Can you read your response to Paragraph
13 226, please?

14 A I have to look at -- what was the
15 question?

16 Q ODC-6 is the Request for Statement
17 Authorization.

18 A I need to look at the question. 226?

19 Q Correct.

20 A Do you want me to read it?

21 Q If you could read Paragraph 226 of ODC-7?

22 A I have read it.

23 Q Read it aloud, please.

24 A The question is, On April 27th, 2017, Ms.

1 Fauntleroy revoked the General Durable Power of
2 Attorney that she had executed in your favor on
3 July 29th, 2016.

4 My answer is, Admitted in part, denied in
5 part.

6 It is admitted that the General Durable
7 Power of Attorney that Ms. Fauntleroy executed on
8 July 29th, 2016 was revoked on or about April
9 27th, 2017.

10 By way of further answer, Ms. Fauntleroy
11 was in poor health both physically and mentally at
12 the time the POA was revoked. And therefore, it
13 is denied that she was capable of making a knowing
14 and intelligent decision to revoke the POA.

15 By way of still further answer,
16 Respondent was not notified that the POA was
17 revoked and that the account was closed until
18 Friday, April 28th, 2017.

19 Q Mr. Conner, is it your testimony today
20 that in April of 2017, Ms. Fauntleroy was
21 incapable of making knowing and intelligent
22 decisions?

23 A It's my testimony that she was in poor
24 health and at times when I would go to see her,

1 she seemed non-respondent at some times. I had
2 not received a copy of a revocation of the POA.
3 When I had summoned the police to her house, and I
4 went in and I spoke to Ms. Fauntleroy about the
5 revocation of the POA, she was unable to -- she
6 acted like she knew nothing about it and she
7 wasn't able to answer any of my questions
8 regarding the revocation of the POA. She wasn't
9 able to answer any of my questions.

10 Q I believe you said she was non-respondent
11 at times. Do you believe --

12 A No. No. No. When I went there on April
13 28th, when I found out that the POA had been
14 revoked and Ms. Thomas and Ms. Fox would not let
15 me speak to her and I called the police, I went
16 into the house. I asked Ms. Fauntleroy had she
17 revoked my Power of Attorney? And she looked at
18 me and she wasn't, was not able to answer my
19 questions or to respond to my questions.

20 Q So on one occasion she was
21 non-respondent?

22 A Right. Right. On that last occasion,
23 yes.

24 Q Did it occur to you that her health

1 problems could have prevented her from consenting
2 to letting you use her debit card at various
3 casinos?

4 A Absolutely not. When she agreed to allow
5 me to use her debit card at the casino as she
6 testified, Ms. Fauntleroy was fine. She had some
7 physical limitations. But she was in control of
8 what happened with her checking account.

9 I never wrote a check or made any
10 decisions or did anything on that card, paid any
11 bills on that card, took any money or made any
12 transactions without her permission and her
13 knowledge.

14 Q So Ms. Fauntleroy's health deteriorated
15 so rapidly in the nine months you served as Power
16 of Attorney that in April she was capable of
17 making known and intelligent decisions but in
18 August of 2016 she was not?

19 A I'm not a doctor and I can't testify as
20 to the deterioration process. When I last spoke
21 to her which was on April 28th of 2017 and I asked
22 her about the revocation of the Power of Attorney,
23 she was not able to explain to me anything
24 regarding that.

1 And therefore, in my answer, I put on
2 there that she did not appear at the time of this
3 revocation, because that's what this paragraph is
4 about, to be able to answer any questions
5 regarding this Power of Attorney.

6 Q Mr. Conner, in your answer to the
7 Petition for Discipline, you say that Ms.
8 Fauntleroy authorized your \$9500 salary. Can you
9 describe the conversation in which Ms. Fauntleroy
10 authorized this salary?

11 A Sure. Every time that I withdrew any
12 money out of the account or any time I wrote a
13 check, whenever I wrote a check to myself, again,
14 I believe there were three or four checks that I
15 wrote to myself, Ms. Fauntleroy gave me permission
16 to write those checks, the amount that was in
17 those checks for services that I provided. And
18 whenever I used her card to take money out of the
19 accounts, I got her permission to do that and
20 explained to her that I was taking that as part of
21 my salary.

22 Q Did she specifically authorize the amount
23 of \$9500 at any time?

24 A No. I never asked her if I could take

1 \$9500 out of her account because I never took that
2 amount out at one time.

3 Q I'm not following.

4 A Ms. Fauntleroy agreed to pay me at
5 different times by check and agreed to allow me to
6 take money out of her account for services that I
7 rendered to her.

8 Q But she never authorized the amount of
9 \$9500?

10 A She authorized every time I took money,
11 either wrote a check or took money out, she
12 authorized the amount of that check or the amount
13 that was withdrawn. And when it was all said and
14 done, it was \$9500.

15 And I believe that when I gave all of the
16 caretakers a W-9 for IRS, she also signed off on
17 monies that I had taken out up to that point,
18 which would have been the end of 2016. And I
19 believe that amount was \$5500 at that point. So I
20 gave her a slip for me for a W-9 for me as well.

21 Q And all of these authorizations were
22 verbal?

23 A Correct.

24 Q There is no document authorizing you to

1 pay yourself a salary in the amount of \$9500?

2 A No.

3 Q There is no fee agreement with Ms.
4 Fauntleroy?

5 A There was no written fee agreement. I
6 normally would have set up a written fee agreement
7 back in March when I first started working for
8 her, but she had no money at that time. And
9 that's the reason why I didn't keep track of every
10 hour that I worked for her. We agreed, though,
11 that the \$10,000, we agreed on the \$10,000. I
12 didn't want to charge her an hourly rate. She
13 didn't have any money.

14 Q So you never actually discussed the \$9500
15 salary? It was just, Hey, Ms. Fauntleroy, I'd
16 like to pay myself \$1500. And she says, Mr.
17 Conner, that's okay. And you take the money?
18 That's the relationship?

19 A No. What I did is I went to Ms.
20 Fauntleroy and I asked her if I could take out
21 money for my services. I did that by way of
22 checks that she authorized me to write. I believe
23 there were three or four of those checks. And
24 then there were cash deposits that were taken out

1 of the account.

2 At the end of December, I gave Ms.
3 Fauntleroy a W-9 which reflected the monies that I
4 had taken out up to that point. And had I still
5 been on, I would have given her another one in
6 December of 2017.

7 Q How many of these conversations did you
8 have with her where she authorized you to pay
9 yourself a salary or a payment towards your
10 salary?

11 A I think it was probably, I think there
12 were four checks, so it would have been for each
13 of those checks. And I don't remember where I'm
14 talking to you right now, the balance of \$6800, I
15 don't remember in what amounts were taken out. I
16 don't remember.

17 Q So you don't know how many of these
18 conversations you had with Ms. Fauntleroy?

19 A I had a conversation with her every time
20 that I did. I don't remember how many
21 transactions were made with me taking money out.
22 But I never took any money out, I never used that
23 card for anything without Ms. Fauntleroy's
24 permission and knowledge. Never.

1 Q Mr. Conner, is it your testimony today
2 that you reimbursed Ms. Fauntleroy for every penny
3 you spent at the casinos that is reflected in ODC
4 Exhibit 1 and 2?

5 A It's my testimony that any monies that I
6 had that I was in control of that Ms. Fauntleroy
7 had and that were not used for her care or used
8 directly for her benefit were returned to her.

9 Q So yes or no? Have you reimbursed her
10 for the money you spent at the casino or not?

11 A I have returned any money I have used for
12 Ms. Fauntleroy -- of Ms. Fauntleroy's, I have
13 reimbursed her. For any monies that I spent for
14 Ms. Fauntleroy, I have accounted for and
15 reimbursed her for every dime of that. And in
16 addition to that, an additional \$8000 for any
17 money that I used of Ms. Fauntleroy. Yes.

18 Q Do you know what the total amount of
19 money you spent at the casino was specifically Ms.
20 Fauntleroy's money as opposed to your money you
21 deposited into her account?

22 A No, I don't.

23 Q Why not?

24 A Well, again, I used her card. But I also

1 deposited money into her account. The only thing
2 I can tell you is how much money Ms. Fauntleroy
3 had access to that I, in turn, had access to from
4 August 1st of 2016 through April 27th of 2017.

5 I know how much money Ms. Fauntleroy had
6 and how much I had access to. I know what portion
7 of that money was used for her benefit as of April
8 27th of 2017. And that portion of her money that
9 was not used for her benefit I returned to her.

10 Q I'm just a little confused how you can
11 say you reimbursed Ms. Fauntleroy for every penny
12 that you spent of hers at the casino if you don't
13 know what that amount of money is. Can you
14 explain that to me?

15 A I'm going to try again.

16 Ms. Fauntleroy, between August 1st of
17 2016 and April 27th of 2017, the total amount of
18 money that Ms. Fauntleroy had, period, was
19 \$137,385.55. That's the total amount of money she
20 had money which I could use at the casino or
21 anywhere. That's the total amount of money that
22 she had. And during that period of time, she had
23 expenses, money that was paid out of that money
24 for her benefit in the amount of \$78,384.37.

1 So as of April 27th of 2017, the only
2 money that she would have had, period, would have
3 been \$59,001.18. That's the only money she would
4 have had because she didn't have any more money.

5 Q I think I understand.

6 A And I returned, I returned \$67,708.15.

7 Q I think I understand. What you are
8 saying is the figures on RS-5 are correct.
9 Accordingly, Ms. Fauntleroy was entitled to
10 \$59,001.18 and you provided her more than that.
11 Therefore, you had to have reimbursed her for
12 every penny of hers you spent at the casinos? Is
13 that your testimony?

14 A Correct. Correct.

15 MR. WHITE: I have nothing further.

16 MR. KRAWITZ: Redirect, so to speak? I
17 don't know that we need -- I think we have
18 covered it.

19 MR. CONNER: No redirect.

20 MR. KRAWITZ: Any questions?

21 We are going to take a two-minute
22 adjournment to consult.

23 MR. KRAWITZ: Mr. Conner, I have a couple
24 questions.

1 MR. CONNER: Okay.

2 MR. KRAWITZ: Let me make sure I have the
3 correct amount. The certified check for
4 \$67,708.15, from what bank was that?

5 MR. CONNER: Santander.

6 MR. KRAWITZ: Was that your account?

7 MR. CONNER: Yes.

8 MR. KRAWITZ: Go ahead.

9 MR. CONNER: What happened is that the
10 monies were taken out of an account for me and
11 my wife. I deposited them into an IOLTA
12 account to transfer over to Ms. Fauntleroy.

13 MR. KRAWITZ: You were returning to her
14 \$67,708.15?

15 MR. CONNER: Correct.

16 MR. KRAWITZ: Of money that belonged to
17 her?

18 MR. CONNER: Yes.

19 MR. KRAWITZ: You took that as was
20 sitting in an account that belonged to you
21 personally or you, your firm?

22 MR. CONNER: Me personally.

23 MR. KRAWITZ: Along with you on that
24 account was your wife?

1 MR. CONNER: Yeah. It was an account
2 that I think was in her name, but the funds
3 were my funds.

4 MR. KRAWITZ: When you say they were your
5 funds --

6 MR. CONNER: My personal funds.

7 MR. KRAWITZ: But this is money that was
8 Ms. Fauntleroy's money?

9 MR. CONNER: It was money that was owed
10 to Ms. Fauntleroy.

11 MR. KRAWITZ: It was her money?

12 MR. CONNER: Yeah. It was money that was
13 owed to Ms. Fauntleroy. And when she took me
14 off of her account, I paid that money to her
15 because again, I had used her card at the
16 casino. Some of the money I had used of hers
17 at the casino I had paid back to her by making
18 deposits.

19 MR. KRAWITZ: I'm only talking about
20 \$67,000.

21 MR. CONNER: The \$67,000 was the amount
22 of money that I had access to that belonged to
23 Ms. Fauntleroy.

24 MR. KRAWITZ: That money that belonged to

1 Ms. Fauntleroy was in your personal bank
2 account?

3 MR. CONNER: It was in my bank account
4 because she had agreed to allow me to use that
5 money. So she had given the money to me to
6 use with the understanding that I would pay it
7 back. So it originated from hers, but she had
8 given me the right to use it.

9 MR. KRAWITZ: How much did you win at the
10 casino using her money?

11 MR. CONNER: I don't know.

12 MR. KRAWITZ: Can you estimate?

13 MR. CONNER: As a matter of fact, usually
14 when I go to the casino and it's all said and
15 done, I have lost. I lose more than I win.

16 MR. KRAWITZ: So you were using Ms.
17 Fauntleroy's money to gamble and you were
18 losing her money?

19 MR. CONNER: Ms. Fauntleroy had given me
20 her card to use at the casino with the
21 understanding that I would give that money
22 back to her. So she, in essence, was saying,
23 You can use my card. It wasn't that I was
24 taking her money and just going to the casino

1 and using it. She had given me permission to
2 use her money with the understanding that I
3 would pay the money back to her. She never
4 made a demand for it. But once I was taken
5 out off of her account, I gave it all back to
6 her.

7 MR. SAILLE: Mr. Conner, why did you not
8 use your own card at the casino?

9 MR. CONNER: Well, to be quite honest
10 with you, I don't keep so much money on my
11 card. So I was at the casino and I didn't
12 have any more money on my card and I wanted to
13 gamble more, then I would use her card.

14 MR. SAILLE: So you used your card at
15 times, too?

16 MR. CONNER: Yes. Yes. And I would have
17 never -- again, I would have never used her
18 card without her permission to do so.

19 MR. SAILLE: You said you made your first
20 payment back, other than this \$10,000 loan,
21 you made the first payment on December 28th of
22 2016, correct? It was a good four months
23 almost, right?

24 MR. CONNER: Yes, that's when I made the

1 first cash deposit.

2 MR. SAILLE: Why did you take four months
3 to start paying her back? Why didn't you do
4 it monthly if it was a loan you described it?

5 MR. CONNER: Well, she knew and I knew
6 that I had given her, in essence, \$10,000. So
7 for the first few months, it certainly wasn't
8 any concern of hers because she knew that I
9 had given her \$10,000 that I was supposed to
10 get.

11 But coming around December, her funds,
12 again, started shrinking. And I know that she
13 needed for me to start reimbursing her for
14 monies that I had used at the casino. And she
15 and I talked about that.

16 MR. SAILLE: Was there anything in
17 writing between you and Mr. Lorenzo about this
18 transaction with the \$10,000?

19 MR. CONNER: No. No. Again, Mr.
20 Fauntleroy felt bad because I was constantly
21 in touch with him. He knew what was going on
22 and he knew I was working. He knew I wasn't
23 getting paid for it.

24 He was a client of mine. I worked for

1 him and that's why I was doing this, part of
2 the reason I was doing this.

3 MR. SAILLE: Was he available to testify
4 today?

5 MR. CONNER: As far as I know, he was.
6 He was available. Shelio Thomas was
7 available. I don't know because I haven't
8 spoken to him in awhile. But my
9 understanding, he is alive; as far as I know.

10 MS. McBRIDE: I have a question about
11 him. So he wrote a check for \$10,000 to his
12 sister?

13 MR. CONNER: Correct, to pay me.

14 MS. McBRIDE: You are claiming that was
15 for you. Why didn't he write you a check?

16 MR. CONNER: I told him, These are
17 services I'm providing for your sister so the
18 money needs to come from your sister. So he
19 wrote the check to his sister so that I could
20 get paid out of her account.

21 MS. McBRIDE: What evidence do you have
22 that that check he wrote to his sister was for
23 you?

24 MR. CONNER: Evidence I have is that

1 that's what he wrote the check for. And I'm
2 sure that if Mr. Fauntleroy was here, he would
3 testify to that.

4 MS. McBRIDE: Let me ask you a question
5 about the credit card. Is it your testimony
6 that the agreement you had with Ms.
7 Fauntleroy was that you could only use the
8 card at the casino? You couldn't use it for
9 gas or groceries? Just for the casino?

10 MR. CONNER: Correct. That was my
11 understanding. I did not have her authority
12 to use that credit card for anything other
13 than that.

14 MS. McBRIDE: So for the riskiest thing
15 you could do, go to a casino. She gave that
16 you permission but not for anything else?

17 MR. CONNER: I didn't ask permission to
18 use it for anything else and I didn't want
19 permission to use it for anything else. It
20 was specifically for that.

21 MS. McBRIDE: For the casino?

22 MR. CONNER: I never asked her to use it
23 for anything else. Like I testified before, I
24 never used that card without her knowing about

1 it and without her permission. I never made
2 one transaction. And even those transactions,
3 I made sure -- I didn't go to the ATM and take
4 out \$1000 and then run up to the casino and
5 use it because I wanted the record to show
6 where it was coming from.

7 MS. McBRIDE: Did you call her every
8 night when you were at the casino? Any time
9 you were there, you called her to get
10 permission before you put the card in the
11 machine?

12 MR. CONNER: Most of the times, I did.
13 I'm not saying that I always called her to do
14 it. But I certainly spoke to her like -- I
15 usually went down there I would say probably
16 maybe every week that I went down there. And
17 when I went down there, I would talk about
18 what bills she wanted me to pay. And I would
19 also find out what caretakers had worked for
20 her, how many hours they had worked for her
21 and what they were to get paid.

22 And during that conversation, I would
23 tell her about how much money she has and what
24 money I used. And when she got her bank

1 statements, I went in there. I would talk to
2 her about what's in the bank statements. So
3 she knew. I always talked to her about that.

4 MS. McBRIDE: Thank you.

5 MR. KRAWITZ: I'd like you to try and
6 answer my question. But actually, let me ask
7 it a little different way.

8 If you went down on a given night and we
9 have all of withdrawals at that time
10 casinos -- I'm just going to use the amount,
11 for sake of my question I'm going to say
12 \$1000. And you took \$1000 of Ms.
13 Fauntleroy's money off of her card and you
14 tripled it, did you have some agreement with
15 her what would you give her out of those
16 winnings?

17 MR. CONNER: No.

18 MR. KRAWITZ: What did you do when you
19 won? What did you do with the money, the
20 additional money over and above what you were
21 taking off of her card?

22 MR. CONNER: If I went there and I won
23 some money?

24 MR. KRAWITZ: Put \$1,000 in and won

1 \$2000. What did you do with the \$1000?

2 MR. CONNER: I kept it.

3 MR. KRAWITZ: You didn't give any back to
4 Ms. Fauntleroy since it was her money you are
5 gambling?

6 MR. CONNER: I didn't give any money
7 because when it was all said and done, I never
8 won any money from the casinos. In 2016, I
9 didn't win money from the casino. I lost
10 money.

11 MS. McBRIDE: Is it your testimony even
12 on a given night you didn't win any money?

13 MR. CONNER: I may have won some money on
14 a given night. Yes.

15 MS. McBRIDE: What did you do with those
16 winnings?

17 MR. CONNER: I kept them.

18 MS. McBRIDE: Thank you.

19 MR. CONNER: And what I may have done is
20 used them the next time I went in, in which
21 case I would have lost them because in the
22 end, I never won any money at the casino. I
23 never won any money from any of the monies
24 that I used off of the card. I didn't win any

1 money at all.

2 MS. McBRIDE: But you did win on a given
3 night, correct?

4 MR. CONNER: I could have won on a given
5 night.

6 MS. McBRIDE: Did you win on a given
7 night? Yes or no.

8 MR. CONNER: But I don't know whether I
9 won with Ms. Fauntleroy's money. I used my
10 money -- it may have been a night I came out
11 of the casino I may have won some money. But
12 I can't sit here and tell you that was Ms.
13 Fauntleroy's money because I had my own
14 personal money as well. What I can tell you
15 is that I never made any money off of Ms.
16 Fauntleroy's money.

17 MS. McBRIDE: You just said you couldn't
18 tell us one way or another.

19 MR. CONNER: I lost money at the casino,
20 so I never won any money, period.

21 MS. McBRIDE: But on a given money you
22 did, and some of that money might have been
23 Ms. Fauntleroy's?

24 MR. CONNER: It could have been, yes.